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**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION
CORPORATION,

Plaintiff-Applicant,

v.

BERNARD L. MADOFF INVESTMENT
SECURITIES LLC,

Defendant.

Adv. Pro. No. 08-01789 (SMB)

SIPA LIQUIDATION

(Substantively Consolidated)

In re:

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee for the Liquidation of
Bernard L. Madoff Investment Securities LLC,

Plaintiff,

v.

Edward A. Zraick, Jr., *et al.*,

Defendants.

Adv. Pro. No. 10-05257 (SMB)

**DECLARATION OF ROBERT A. RICH IN SUPPORT OF ZRAICK
DEFENDANTS' MOTION IN LIMINE TO STRIKE THE "SUPPLEMENTAL"
EXPERT REPORTS OF BRUCE G. DUBINSKY AND LISA M. COLLURA**

I, Robert A. Rich, pursuant to 28 U.S.C. § 1746, hereby declare as follows:

1. I am a partner with the law firm of Hunton Andrews Kurth LLP, counsel for Edward A. Zraick, Jr, Nancy Zraick, Patricia DeLuca and Karen Rich (collectively, “Defendants”). I submit this declaration in support of the *Defendants’ Motion in Limine to strike the “Supplemental” Expert Reports of Bruce G. Dubinsky and Lisa M. Collura* (the “Motion in Limine”). Capitalized terms used but not defined herein shall have the meanings ascribed to such terms in the Motion in Limine.

2. On or about April 15, 2019, the Trustee served Defendants with the (i) Expert Report of Bruce G. Dubinsky, dated January 16, 2019 (the “Supplemental Dubinsky Report”) and (ii) Expert Report of Lisa M. Collura – Reconciliation of Cash Transactions for All BLMIS Customers and Analysis of IA Business Cash Activity, dated January 16, 2019 (the “Supplemental Collura Report”). A true and complete copy of the Supplemental Dubinsky Report, without exhibits,¹ is annexed hereto as **Exhibit 1**. A true and complete copy of the Supplemental Collura Report, without exhibits, is annexed hereto as **Exhibit 2**.

3. On November 16, 2016,² the Trustee served Defendants with the (i) Expert Report of Bruce G. Dubinsky, dated August 20, 2013 (the “Original Dubinsky Report”) and (ii) Expert Report of Lisa M. Collura – Proof of Transfers to the Zraick Defendants, dated November 16, 2016 (the “Original Collura Report”). A true and complete copy of the Original Dubinsky Report, without exhibits, is annexed hereto as **Exhibit 3**. A true and complete copy of the Original Collura Report, without exhibits, is annexed hereto as **Exhibit 4**.

4. Defendants took the deposition of Ms. Lisa M. Collura on June 14, 2017.

¹ The Trustee has designated the exhibits to the expert reports as confidential. Defendants intend to seek permission to file those exhibits under seal if and when necessary.

² On November 16, 2016, Trustee’s counsel emails a link to an FTP site which, according to the Trustee, contained the Original Reports, but the password to access that site was not received until the following morning.

5. Annexed hereto as **Exhibit 5** is a redline of the Supplemental Dubinsky Report against the Original Dubinsky Report, which redline was provided to Defendants by the Trustee.

6. Annexed hereto as **Exhibit 6** is a redline of the Supplemental Collura Report against the Original Collura Report.

7. Annexed hereto **Exhibit 7** is a redline of the “Appendix B” (list of documents considered) attached to the Dubinsky Supplemental Report, against the same appendix attached to the Original Dubinsky Report.

8. Annexed hereto as **Exhibit 8** is a redline of the exhibit list to the Supplemental Collura Report against the exhibit list to the Original Collura Report.

9. Annexed hereto as **Exhibit 9** is a true and complete copy of the Expert Rebuttal Report of Bill Feingold, dated February 13, 2017 (the “Feingold Report”), which Defendants served on the Trustee on February 14, 2017. Defendants retained Mr. Feingold at substantial expense, particular in relation to the amount at issue in this litigation.

10. Pendency of this litigation has taken a massive financial and emotional toll on Defendants, who lost substantially all of their entire inheritance and savings in the Madoff scheme, and are now being sued for more.

11. I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct to the best of my knowledge, information and belief.

Dated: March 4, 2020
New York, New York

/s/ Robert A Rich
Robert A. Rich